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THE MILITARY SERVICE ACT

FULLY AND CLEARLY EXPLAINED

BY

PHILIP SNOWDEN, M.P.

"Meetings which are limited to opposition to the passage of the Military Service (No. 2) Bill or to advocating its repeal if passed into an Act, or to opposition to any extension of compulsory service, and writings of the same character, would not be liable to suppression; but if there were violence or incitement to violence or to illegal action, or if the law were transgressed in any other way, the object for which the meetings were held or the writings published would not, of course, entitle them to any exceptional treatment."

The Home Secretary, House of Commons, Jan. 17, 1916.

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THE MILITARY SERVICE ACT (1916).

The Military Service Act, which imposes compulsory military service on single men, was passed by Parliament on the 28th of January, 1916. It came into operation by Royal Proclamation on the 10th of February.

On the 2nd of March, 1916, every single man coming within the provisions of the Act, unless he belongs to the "Exceptions," or has obtained a certificate of exemption, or, having applied for exemption, has not on that date had his case settled by the Local or Appeal Tribunal, will be deemed to have enlisted in His Majesty's regular forces for general service with the colours or in the reserve *for the period of the war*, and to have been forthwith transferred to the reserve.

All who are thus deemed to have enlisted will at once become liable to be called up for military service, and will be subject to all the orders and regulations contained in the Army Act and the Reserve Forces Acts.

If a person who has thus been deemed to have enlisted does not respond to the Orders calling up men from the reserve, he will be treated as a deserter. But in that case he will not first be handed over to the military authorities. He cannot be seized by the military and taken into the army. He must first be taken before a civil court, which will decide whether he has been deemed to have enlisted, and is really a member of the reserve. If this civil court decides that he is a soldier, then he will be handed over to the military authorities.

If the soldier then accepts the decision of the court, and joins the reserve or the army, it does not appear from the Act that any punishment will be inflicted upon him. But if he still persists

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in his refusal he will be taken by force and will be liable to all the penalties under the Army Act to which a soldier exposes himself for desertion or military disobedience, except that he cannot be put to death for refusing to obey an order calling him up from the reserve for permanent service.

Penalties for Desertion or Aiding Desertion.

After a conscript has once joined the army he will become subject to the ordinary conditions of army service, or military law. The punishment which may be inflicted for desertion, or for aiding desertion, is laid down in the Army Act, section 12, sub-section 1, and is as follows:

> Every person subject to military law who commits any of the following offences: that is to say, (*a*) Deserts or attempts to desert His Majesty's service; or (*b*) Persuades, endeavours to persuade, procures or attempts to procure any person subject to military law to desert from His Majesty's service, shall on conviction by court-martial, if he committed such offence when on active service, be liable to suffer death, or such less punishment as is in this Act mentioned; and if he committed such offence under any other circumstances, be liable for the first offence to suffer imprisonment, or such less punishment as is in this Act mentioned; and for the second or subsequent offence to suffer penal servitude, or such less punishment as is in this Act mentioned.*

Persons who are not within the terms of the Military Service Act, who aided any resisters to the Act, would seem to come under the terms of Section 153 of the Army Act, which says:

> Any person who in the United Kingdom or elsewhere by any means whatsoever—(1) Procures or persuades any soldier to desert, or attempts to procure or persuade any soldier to desert; or (2) Knowing that a soldier is about to desert, aids or assists him in deserting; or (3) Knowing any soldier to be a deserter, conceals such soldier, or aids or assists him in concealing himself, or aids or assists in his rescue, shall be liable on summary conviction to be imprisoned, with or without hard labour, for a term not exceeding six months.

Having set forth the penalties to which those expose themselves who resist the operation of this Conscription Act, we will proceed to explain who the persons are who come under it, and what the "Exceptions" are.

To Whom the Act Applies.

1. To male British subjects only, who are ordinarily resident in Great Britain and the Isle of Man.† A male British subject who, after this Act comes into operation, comes to reside ordinarily

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* It must be observed that in time of war all members of the army are treated as "on active service."

† The Act has been adopted by the Manx House of Keys.

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in Great Britain, will be deemed to be enlisted thirty days after he has become a resident, if within the age limits.

2. To men who were eighteen years of age on August 15, 1915, and who were not over forty-one on the date of the Act coming into actual operation, namely, March 2, 1916.

3. To single men only (and widowers without dependent children), within the age limits (18 to 41).

4. To every man married after November 2, 1915, unless he was previously a widower with one or more children dependent upon him.

5. To members of the Territorial Forces who are enlisted for home service only.

6. To apprentices who are bound by indentures, who are within the age limits.

Persons Who Are Outside the Act.

1. Boys who have attained the age of eighteen years after August 15, 1915.

2. Single men who have reached the age of 41 years on March 2, 1916.

3. A widower with one or more children dependent upon him.

4. All men who were married on or before November 2, 1915.

5. Men who are in Great Britain only for a special temporary purpose, such as education or business.

6. Members of the regular army or reserve forces, members of the Colonial forces, and members of the Territorial Force who are liable for foreign service, or who are, in the opinion of the Army Council, not suited for foreign service.

7. Men serving in the Navy or the Royal Marines.

8. Clergymen and regular ministers of any religious denomination.

9. Men who have been discharged from the naval or military service owing to disablement or ill-health; and, subject to any provision which may hereafter be made by Parliament, men who have been discharged from the naval or military services on the termination of their period of service.

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10. Men who have offered themselves for enlistment and been rejected since August 14, 1915.*

Starred, Reserved, and Certified Occupations.

The fact that a man is badged, starred, or working in a reserved or certified occupation does not exempt him from the Act unless he gets a certificate from the Local Tribunal, or from the Government Department concerned. When an application is received for exemption from or on behalf of a person in one of these occupations, the application will be sent to the military representative by the Local Tribunal, and if no notice of objection is sent by the military representative to the Local Tribunal within five days, the Local Tribunal will grant the certificate of exemption without hearing the parties to the application.

The military representative may send notice of objection in writing to the Local Tribunal against the granting of a certificate of exemption on the ground that the man's principal and usual occupation is not in fact one of the certified occupations, but if the man is employed under the Ministry of Munitions no such objection can be entertained by the Local Tribunal.

If the military authority gives notice of objection to the granting of a certificate of exemption on the ground that the man is not principally or usually employed in one of the certified occupations, then notice must be sent to the applicant, and a date fixed for the hearing of the case before the Tribunal.

The military representative may, at any time, apply for the review of a certificate given on the ground that the man is in a starred occupation. This application may be made on the ground that (*a*) the man's principal occupation is not, in fact, one of the certified occupations, (*b*) that notwithstanding the man's principal occupation is one of the certified occupations, it is no longer necessary in the national interests that he should continue in civil employment, (*c*) or that the man's principal and usual occupation has, since the certificate was granted, ceased to be a certified occupation. Notice shall be sent to the holder of the certificate of the intention of the military representative to require the review of the certificate, and a date shall be fixed by the Tribunal for the hearing of the application. If the Tribunal con-

* In direct violation of this statutory provision, men who have been rejected as medically unfit are now being required to undergo a second medical examination before being given an armlet. Such men should stand out for their legal rights under the Act if they are in possession of Army Form B2505 or Army Form B2512.

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siders that the man's circumstances have changed, they may vary the certificate accordingly.

The military representative has no power to require the review of a certificate on the ground stated in the previous paragraph in occupations under the Ministry of Munitions and the Home Office.

It may be pointed out that while certain trades are certified as indispensable, it does not follow that every individual working in such a trade will be regarded as indispensable, and therefore it is important that men in starred occupations should be well prepared before going before a Tribunal, and if they have grounds for claiming exemption for other reasons, such as physical health, domestic obligations, or conscientious objection to combatant service, they should be ready to state such reasons before the Tribunal.

Provision is made in the Act that a Government Department may direct that any certificate granted by or on behalf of that Department before the appointed day as to employment on war work may be treated as a certificate of exemption for the purposes of this Act. Under this provision it has been directed that certificates in connection with Admiralty, War Office, and War Office badges held on March 1, 1916, shall be certificates of exemption. A man, therefore, who is in possession of such a certificate or badge may please himself whether he applies for a certificate of exemption to the Local Tribunal. The certificate or badge given by the Government Department will not be absolute, but liable to be reviewed on the application of the military representative.

Men connected with the mining industry are to be dealt with specially by the Home Office, who have established special tribunals for the purpose. This arrangement applies only to exemption for industrial purposes. Miners having other reasons for exemption should apply to the Local Tribunal for exemption on these grounds.

The Powers of the Minister of Munitions.

The Ministry of Munitions may refer to the Local Tribunal for the area in which the man's place of business or employment is situate, for consideration in any particular case, of any of the following questions:

1. In the case of a man who holds a certificate of exemption on the ground that his principal and usual occupation is one of

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the certified occupations marked with the letters M.M. (Ministry of Munitions,

(*a*) Whether the man's principal and usual occupation is in fact one of those occupations; or

(*b*) Whether, notwithstanding the man's principal and usual occupation is one of those occupations, it is longer necessary in the national interests that he should continue in civil employment.

2. In the case of a man who holds a certificate of exemption granted by a Government Department in connection with a badge before March 2, 1916, whether it is any longer necessary in the national interests that he should continue in civil employment.

Before any such case can be considered by the Local Tribunal five days' notice must be sent to the man in question, and to the military authorities.

This appears to be an extremely dangerous power in the hands of the Minister of Munitions. It will be possible under this provision for the Minister of Munitions to single out men on war work who have for some reason incurred his displeasure, and to claim before the Local Tribunal that it is no longer in the national interests that these men should be kept in civil employment. At the Local Tribunal he will have the assistance of the military representative, who may always be trusted to take the military point of view. This is a provision which should be very carefully watched by organised Labour.

The Grounds for Claiming Exemption.

The Act provides for exemption from military service for persons within the age limits. As stated already, those persons coming under any of the "Exceptions" set out in a previous paragraph need not apply for certificates of exemption. All other persons within the age limits must do so at once. *All applications for exemption must be made before the appointed date, which is March 2, 1916.* The Tribunal cannot entertain any application for exemption after that date, except in the case of a man who has not been able to make it in time owing to absence from the country, or any other cause which appears to the Tribunal to afford a reasonable ground for allowing the application to be so made. The method to be followed in claiming an exemption is fully explained later on.

An application for exemption from a person not included in the list of "Exceptions" given above ("starred" and "reserved"

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men are not "exceptions") may be made on any of the six grounds stated below. A man may put forward a claim for exemption on more than one ground if he considers himself entitled to do so. That is to say, the man who has a conscientious objection to military service may also have grounds for exemption by reason of domestic obligations, or business responsibilities, or ill-health.

The grounds on which an application for exemption may be made to the Local Tribunal are as follows:

(1) That it is expedient in the national interests that the man should, instead of being employed in military service, be engaged in other work in which he is habitually engaged.

(2) That it is expedient in the national interests that the man should, instead or being employed in military service, be engaged in other work in which he wishes to be engaged.

(3) If the man is being educated or trained for any work, that it is expedient in the national interests that he should continue to be so educated or trained.

(4) Serious hardship, owing to exceptional financial or business obligations or domestic position.

(5) Ill-health or infirmity.

(6) Conscientious objection to the undertaking of combatant service.

The First Ground of Exemption.

THAT HE IS BETTER EMPLOYED IN HIS USUAL WORK.

The Tribunal in considering applications for exemption under this head is instructed to look at the question, not from the point of view of what is good for the man, but what is best in the national interests. "National interests" has to be construed broadly. It covers not only services which directly help the prosecution of the war, but also services which are essential to the country at the present time, whether, for instance, in the maintenance of the food supply or the export trade, or in the performance of other services which it is desirable should be carried on in the interests of the community. In these cases the military representative is entitled to raise a question in any case, where he thinks the circumstances warrant it, in order to have the matter decided.

In deciding cases under this head the Tribunal is instructed to take into account not only whether such service as the man is performing ministers to the national interests at the present time, but also whether it is in the national interests that the *particular man* should continue in civil employment, and whether, even if the services which he renders are essential, they cannot be performed by available men not of military age or otherwise unfit

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for military service, or by women. But the Tribunals are expressly instructed to be "most careful to avoid the slightest tendency to what might appear to be industrial compulsion."

The Second Ground of Exemption.

THAT HE SHOULD DO THE WORK HE CAN BEST DO.

The second ground of exemption is akin to the first. In the Act itself the two grounds are included in the one section, but in the Regulations they are divided as shown above. Presumably the point involved here is that if a man has some special qualifications which would enable him to discharge some useful work in a civil capacity, and he is willing to undertake such work, the Tribunal can give him an exemption, stating as the reason that it is more to the interests of the country that this man should be allowed to get employment, say in agriculture, or as an engine driver, or a miner, than that he should join the army.

The Third Ground of Exemption.

YOUTHS BEING EDUCATED OR TRAINED.

The Regulations instruct the Tribunals to scrutinise applications for exemption under this head very closely. The Tribunal is to assume that a young man of military age is free from responsibilities, and he ought to be doing his duty as a soldier. The onus of proving a claim for exemption under this head will bear heavily on the applicant, and it will be necessary to show very strong reasons to overcome the assumption that he ought not to be exempt. In the cases of young men who are training for the useful professions it might be urged that their preparation is a work of national importance, and that the interruption of their training would be serious, and a not distant loss to the community. In any case where a certificate is granted on this ground it must be temporary and conditional, and the Tribunal will have a good deal of latitude in fixing the conditions.

The Fourth Ground of Exemption.

FINANCIAL AND DOMESTIC OBLIGATIONS.

This ground of exemption is a very important one. It was inserted in the Act by Parliament to meet the many cases where serious hardship would result if a man were taken away from his business or work. Many single men of military age are in business on their own account. They have been struggling for years to establish themselves. The maintenance of the business depends

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wholly on their own personal exertions. If they are taken away the business will be absolutely ruined, and these men would find themselves after the war in the position of having to begin life again hampered by age. In many cases men have borrowed money for business and professional purposes, and conscription would involve others in financial ruin as well as the man conscripted. This ground of exemption is intended to meet such cases.

There are tens of thousands of single young men who have domestic responsibilities as great as those of a married man. Many men have remained single in order that they might support a widowed mother or sisters and younger brothers. If all these men were called up the result would be that thousands of aged and infirm parents would be penniless and homeless, and other relatives in indifferent health would have to be supported by the parish. The Regulation says that a claim for exemption under this head must only be given where the Tribunal is satisfied that the financial or domestic responsibilities are *serious and exceptional*. In the course of the debate on the Bill in Parliament, the Prime Minister said:

> There is the case of the man, though a single man, who is really the support and stay of, it may be, father, mother, sisters, who are dependent upon him. I have had brought to my notice most moving cases of mothers who have sent three or even four sons to the war. They have either been killed, wounded, or at any rate disabled on active service. Where there is a single unmarried son left behind it would, of course, be a monstrous thing if the State were to call for military service from a man in that position. He is as much entitled to exemption as any man in the Empire. So the second ground is that of a man by or in respect of whom application is made by or in respect of any person dependent upon him, and who if he were called up for Army service, would be deprived of the means of maintenance.

As the Military Service Act is the fulfilment of a pledge by the Prime Minister it would be well if, in cases where this ground of exemption is urged, the attention of the Tribunal were called to this definite and wide pledge of Mr. Asquith's.

Particular attention is called to the very definite pledge given by Mr. Walter Long on the Report stage. (*Hansard*, page 2794, January 24th.)

Sir JOHN SIMON: Let us take the case which many of us have had pressed upon our attention, which is undoubtedly a hard case, namely, that of the only surviving son of a widow who depends upon the young man's earnings. This is one of the cases where a clear declaration from the Government as to the sort of standard they were setting up would make a lot of difference. If my right

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hon. friend was prepared to say that if you take the only surviving son of a widow dependent upon her boy's earnings and regarded that as a case that clearly ought to be exempted we should be satisfied and it would not make very much difference whether the exemption was "special" or "exceptional." I cannot help thinking that the substance of this matter would be met by such a declaration.

Mr. LONG: My right hon. and learned friend has accurately described the view of the Government, for that is precisely the case we intend to cover. These words were put down in consequence of the speeches of those who were opposed to the amendment we had on the paper. I do not think there can be any doubt on this point.

The Fifth Ground of Exemption.

ILL-HEALTH OR INFIRMITY.

Where a person is too ill to apply for exemption himself this may be done on his behalf by some other person. Where a person is suffering from a serious and permanent affliction of body or mind the Tribunal must give a certificate of absolute exemption, but in other cases the certificate may be temporary. The Tribunals are advised to leave the question of the medical fitness of the man to the military authorities. The military authorities may certify that though a man is not fit for general service, he is fit for field service at home, garrison service at home or abroad, for labour work in connection with the army, or for clerical army work.

The applicant will be entitled to call the evidence of his own doctor, but the military authorities are entitled to have the applicant examined by the army doctor. The report of this doctor must be treated as confidential, and the cost of the medical examination must be borne by the Army Council.

The Sixth Ground of Exemption.

THE CONSCIENTIOUS OBJECTION.

This ground of exemption is perhaps the most important of all, and is likely to prove the most difficult in administration.

The man who honestly, and as a matter of conscience, objects to combatant service is entitled to exemption. The instructions to the Tribunals say: "While care must be taken that the man who shirks his duty to his country does not find unworthy shelter behind this provision, *every consideration should be given to the man whose objection genuinely rests on religious and moral convictions*. Whatever may be the views of the members of the

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Tribunal, they must interpret the Act in an impartial and tolerant spirit. Difference of convictions must not bias judgment."

The Instructions to the Local Authorities about the constitution of Tribunals say: "The local authority, in making appointments to the Tribunal, should bear in mind that the Tribunal will have to hear among the applications, those made on the ground of conscientious objection. Men who apply on this ground should be able to feel that they are being judged by a Tribunal that will deal fairly with their cases."

The certificate of exemption on this ground may be partial or complete. If the certificate is granted as a certificate of exemption from "combatant duties" only, then the individual would be liable to serve in certain branches of the Army, as in the Royal Army Medical Corps for instance.

The Tribunal may give a certificate of exemption from military service altogether on the condition that the applicant agrees to engage in some work which is of "national importance." What is meant by work of "national importance" as an alternative to military duties for the conscientious objector was stated by the Home Secretary in the debates on the Bill in Parliament. Mr. Samuel, the Home Secretary, said (Hansard, page 2266, Jan. 19):

> We want to give the widest possible latitude. I have been asked, "What is the difference between the classes of work?" A man may come forward and say, "I am a bootmaker, and want to go on making boots." The Tribunal may say, "There are a sufficient number of bootmakers already, and really it is more important you should become a soldier than remain a bootmaker. Therefore the man is sent to be a soldier. But if he comes forward and states, "I am a conscientious objector and I do not want to fight; I come under paragraph so-and-so of the Act, and I am engaged in making boots, which is a work of national importance. As such I shall do useful work for the nation." The Tribunal may reply, "While this is not work of national importance, if you say you are a conscientious objector, and object to becoming a soldier, you will obtain your exemption." That is, I believe, precisely the object of the hon. member's proposal. But the hon. member says, the effect of the Government's proposal is that his friends would have forced upon them, by the requirements of the Tribunal, some particular kind of work. Surely that is exactly what he himself proposes. He proposes that the Tribunal shall give the individual man exemption, but at the same time say, "You need not go as a soldier, because you are a conscientious objector, but it must be conditional on your performing work for the State."
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> . . . . Our intention was to adopt the hon. member's (Mr. T. E. Harvey's) own proposal, with the exception that the Tribunal would not be limited to a list of occupations set out in an Order of Council, but should have a wider choice of any work which is regarded as of utility. We do not want a man to come forward and say, I am a conscientious objector and wish to be exempt from military service, but I do not propose to do anything whatever for the service of the nation. We say these men must be doing something—if not military service, then non-

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combatant service, and if not non-combatant service, then something else which will be useful to the nation in its economic, commercial, or other activities.

The Government recognise that there will be cases where the applicant has genuine convictions against engaging in any form of organised national service for the prosecution of war, either directly or indirectly. The Instructions to the Tribunal state that in such cases the Tribunal must grant a complete and absolute exemption, if they are satisfied of the facts.

The Different Kinds of Certificates.

If the Tribunal comes to the conclusion that an applicant has made out a case for exemption on any of the six grounds it will grant a certificate. The certificate may be absolute, temporary, or conditional.

The absolute certificates are likely to be very few. They will be granted to conscientious objectors who have satisfied the Tribunal of a conscientious objection to any form of national war service, and to permanently infirm persons. The common form of certificate will be one which exempts the holder so long as the circumstances on which it was granted continue. But every certificate, whether it be absolute, temporary, or conditional, is subject to review. It may be reviewed by the Tribunal either on the application of the holder or of the military authorities. The holder of a certificate of absolute exemption is not under any obligation to report if his circumstances change, but the holder of a conditional certificate must do so if the conditions on which the certificate was granted no longer obtain. If he fails to do so he is liable to a fine of fifty pounds. Where a certificate has been given conditionally the conditions must be stated on the certificate, so that there can be no mistake about the conditions being observed. Where the certificate is given temporarily the holder must make application to the Tribunal which issued the certificate for a renewal before the date of its expiration, but he will not be deemed to have enlisted until two months after his certificate has expired, or lapsed owing to the conditions on which it was granted no longer obtaining. This time allowance is to enable the man to obtain other employment which may entitle him to a renewal of his certificate.

The Right of Appeal.

There is the right of appeal from a decision of a Local Tribunal. Either the applicant, or the military representative, may claim an appeal. The notice of appeal must be given not later than three clear days after the decision of the Local Tribunal.

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The necessary form for giving notice of appeal may be obtained from the clerk to the Local Tribunal. The area of Appeal Tribunals will be counties or combinations of counties.

Above the Appeal Tribunal is the Central Tribunal. An appeal may be made to this Central Tribunal by leave of the Appeal Tribunal. It is not intended that cases shall come before the Central Tribunal unless important questions of principle are involved, or unless there is some special reason why the appeal should be allowed.

How to Proceed to Claim Exemption.

All applications for exemption must be made before March 2, 1916. The applicant must apply to the Clerk to the Local Tribunal for the necessary forms. They must be very carefully filled up, and returned as soon as possible. The form must be made out in duplicate.

The applicant will receive three days' notice of the time and place of the hearing of his case.

It will be competent for the Tribunal to postpone the hearing of a case in order to give the applicant an opportunity of delivering a fuller and better statement of his case. He will be allowed three days in which to supply these fuller particulars, and if he fails to do this the Tribunal may dismiss the case.

Application for exemption may be made by the man himself or by some person in respect of him. This enables an employer to make an application for a workman who he thinks should, in the national interests, continue in civil employment. The head of an institution may similarly make application in respect of any person under his care. Likewise, where a man is not able to make personal application, by reason of absence from home or ill-health, application may be made on his behalf. Applications on the ground of employment should be made to the Local Tribunal of the district where the employment is situated. Applications on any other grounds should be made to the Local Tribunal of the district where the applicant resides.

The Procedure Before the Tribunals.

A military representative will be present at the hearing of all applications for exemption, and he will be in a sense the opposing counsel. If this military representative signifies his assent to an application the Tribunal may agree without hearing the case.

It is very desirable that an applicant's case should be presented properly before the Tribunal. He is entitled to make a

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full statement before the Tribunal either orally or in writing. The applicant may be represented by counsel or solicitor or by a friend.

The proceedings will generally be in public, but power is reserved to the Tribunal to conduct in private, if they so decide, the whole or any part of their proceedings in any case. If any party to the case or other person concerned requests that the case shall be conducted in private, the request should be conceded, if there are good reasons for it. Matters of a business or domestic nature may arise in connection with cases which it would obviously be unfair to divulge to the public, and the Tribunal should have regard, in cases of this kind, to the interests of the parties or of other persons concerned.

The Local Tribunal *may* hear witnesses, but they *must* hear the parties to the application in all cases, and the man in respect of whom the application is made.

The decision of the Local Tribunal upon an application must be communicated forthwith in writing to the applicant, and to the military authority. If the Local Tribunal decides to issue a certificate, that certificate shall be at once issued to the man. If he loses the certificate he may get a copy for a payment of one shilling.

Where a certificate is granted conditionally, the conditions shall be clearly stated upon the certificate.

No certificate of exemption shall be conditional upon a person to whom it is granted continuing in or entering into employment under any specified employer, or in any specified place or establishment. This does not preclude the Local Tribunal from making it a condition that the holder shall engage in a specified class of work, leaving it to the holder to get employment of that class, and if at the end of two months he has failed to do so, his certificate will lapse, and he is deemed to have enlisted.

An application for a renewal of a certificate of exemption may be made by sending to the Local Tribunal in which the applicant lives or works notice in duplicate on the prescribed form, which may be obtained from the Clerk to the Local Tribunal, before, or within two months after, the date when the certificate ceases to be in force.

The Constitution and Powers of the Local Tribunals.

The Local Tribunals are appointed by the local authorities. There must be not less than five members nor more than twenty-five. The local authorities are very expressly instructed to pro-

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vide for the adequate representation of Labour upon these Tribunals. Where there is a Trades Council, properly representative of Labour, the local authority is advised to seek its assistance in selecting Labour representatives. In districts where there is no organised Labour movement, working-class members should be appointed. The local authority is strongly advised to include women members.

The local authority may dismiss a member of the Local Tribunal who is found to be incompetent or undesirable.

The Local Tribunal may act through Committees consisting only of members of the Tribunal, and each Committee must have an adequate representation of Labour in every case.

The Local Tribunal shall decide questions by a majority of the members present and voting, but a member shall not vote on any question unless he has been present throughout all the hearing of the case.

The Men Who Attested.

The men who attested under the Derby Scheme do not come under the regulations framed under the Military Service Act. It is intended to merge the previously existing Tribunals into the Local Tribunals under the Military Service Act. New Instructions are being prepared for the observance of Local Tribunals in dealing with these cases. For the most part the new Instructions will simply apply to the cases of voluntarily attested men the provisions of the Regulations made for men who come under the Act. The kind of applications which can be made to the Local Tribunal will in both cases be the same, except that as regards voluntarily attested men, provision cannot appropriately be made for applications on the grounds of ill-health or infirmity or of conscientious objection. In the case of attested men the question of health is obviously one for the military authorities, while applications on the ground of conscientious objection ought not to arise in the case of men who have voluntarily become attested.

Under the existing Instructions the Local Tribunals can only grant postponement. Under the new Instructions they will be able to grant exemption from military service, which may be without limit of time or temporary, according to the judgment of the Local Tribunal. When temporary exemption is granted it should be for a fixed period of time and should take the form of putting back to a later group.

The Local Tribunals are instructed to keep the military necessities in mind, and to be very careful in granting exemptions

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to attested men. If an attested man is given a temporary exemption he will remain an attested man, but will not be called up so long as the certificate of exemption is in force.

Important Points to Note.

Unless you are quite certain you are in the list of "Exceptions," or have the certificate or a badge of a Government Department, apply for the forms to claim exemption, if you desire to be exempted, for any of the reasons set forth in the Act.

The application for exemption (which must be made in duplicate) must be in the hands of the Local Tribunals before March 2nd.

If you are entitled to claim exemption on more than one ground, and desire to do so, state on your application all the grounds of your claim.

You are entitled to take a friend to state your case before the Tribunal. If you desire the hearing to be in private you may ask that it should be.

You are liable to imprisonment for making any false statement before the Tribunal.

If the Local Tribunal refuses your certificate you have the absolute right to appeal to the Appeal Court. You must give notice of your intention to appeal within three days.

There is a qualified right of appeal from the Appeal Court to the Central Tribunal, but this is only permitted by leave of the Appeal Court. If it is desired to appeal beyond the Appeal Court an application must be made to the Appeal Court within three days of the decision of that Court.

When the circumstances and conditions on which a certificate of exemption has been granted change, notice must at once be given to the Clerk of the Local Tribunal in the area where the man works or resides. Neglect to do this renders the holder liable to a fine of fifty pounds.

You cannot be deemed to be enlisted until your claim for exemption has been finally settled by the Tribunals.

Conscripted soldiers are entitled to the same treatment in the matter of dependant's allowances, pensions, etc., as volunteers.

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